

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Digital Audio Broadcasting Systems)	MM Docket No. 99-325
And Their Impact On the)	
Terrestrial Radio Broadcast Service)	
To:	The Commission	

COMMENTS OF COX RADIO, INC.

Cox Radio, Inc. (“Cox”), by its attorneys, submits herewith its comments in response to the Commission’s Public Notice¹ requesting comment on the National Radio Systems Committee’s (“NRSC”) evaluation of the iBiquity Digital Corporation’s (“iBiquity”) hybrid mode FM in-band, on-channel (“FM IBOC”) system proposed for digital audio broadcasting (“DAB”). Cox, either directly or through subsidiaries, owns and operates over eighty AM and FM radio stations throughout the United States. Cox has an ownership interest in iBiquity.

Cox is a longstanding supporter of DAB and believes that it will substantially enhance radio service and listener experience, allowing over-the-air radio broadcasters to remain competitive in the digital age. Accordingly, as described below, Cox urges the Commission to (1) endorse the well-developed and thoroughly tested FM IBOC DAB model; (2) establish

¹ Comment Sought on National Radio Systems Committee DAB Subcommittee’s “Evaluation of the iBiquity Digital Corporation IBOC System”, *Public Notice*, MM Docket 99-325, DA 01-2932 (rel. Dec. 19, 2001) (“*Notice*”).

procedures and a timetable for its expeditious implementation; and (3) seek comment promptly on iBiquity's AM IBOC DAB system as soon as testing is complete.

Cox has reviewed NRSC's FCC report and the underlying iBiquity filing and has concluded that the proposed FM IBOC system altogether satisfies the Commission's evaluative criteria as outlined in the 1999 Notice of Proposed Rulemaking.² The proposed DAB technology utilizes spectrum efficiently, minimizes interference and requires no new frequency allotments or channel assignments. Furthermore, the proposed FM IBOC system addresses broader compatibility issues that are critical to consumer acceptance of and a successful transition to DAB. For instance, in addition to the shared operation of analog and digital radio signals during the transition, FM IBOC will provide over-the-air broadcasters with a viable platform to transmit station identification, song and title information to listeners. In short, the proposed IBOC system will allow for a rapid and non-disruptive transition to DAB with the effect of preserving listeners' confidence in their familiar radio format and facilitating their acceptance of digital radio.

Accordingly, Cox urges the Commission to select the proposed IBOC system promptly as the new FM radio standard. Given the driving force of various digital media technologies, Cox believes that DAB must be implemented with deliberate speed to ensure that over-the-air broadcast radio retains its competitive appeal. While swift endorsement is urged, Cox also asks the Commission to keep in mind its admittedly crucial goal of extensibility as it adopts formal rules and standards.³ The Commission has recognized that the adopted DAB system "must be

² Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service, *Notice of Proposed Rule Making*, 15 FCC Rcd 1722 (1999).

³ *Id.* at ¶ 31.

adaptable to future technological advances.”⁴ Hence, Cox urges the Commission not to adopt DAB standards that are too inflexible or unaccommodating of advances in technology.

Consistent with its prompt adoption of the proposed IBOC system as the FM DAB standard, the Commission should consider initiating the process to phase-out analog FM broadcast service. Cox asks that the Commission establish a reasonably swift timetable for completing the digital FM transition in a manner that will minimize listener confusion and maximize broadcaster and equipment manufacturer certainty. In addition, Cox requests that the Commission timely seek public comment on iBiquity’s AM DAB system and associated NRSC evaluative report upon availability. It is important that the introduction of digital broadcast radio service not be delayed given the rapid development of other competitive radio and digital services.

Endorsement of the proposed FM DAB system is a necessary regulatory step before the broadcast industry and consumer equipment manufacturers will be willing to make critical additional investments in the FM IBOC technology. Nothing in NRSC’s report should give the Commission reason to hesitate in making that endorsement. A flexible, universal standard in combination with a cohesive timetable will continue the Commission’s laudatory implementation

⁴ *Id.*

of DAB. For these reasons, Cox respectfully requests that the Commission select and implement the proposed FM IBOC DAB model.

Respectfully submitted,

COX RADIO, INC.

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Dated: February 19, 2002